

REMARKS

Claims 11 to 17 and 19 to 21 were rejected under 35 U.S.C. 103(a) as being unpatentable as unpatentable over Schwaiger (DE 3625590) in view of Leiber (WO 9905397). Claims 22 to 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schwaiger in view of Leiber and Ysberg (U.S. Patent 3,911,875).

Claim 11 has been amended and new claims 24 to 31 have been added. Support is found in the specification for example at paragraphs [0003], [0006] to [0009], [0021], [0023], [0024], [0027] and [0028] and in Figs. 1 to 4. Claims 20 and 21 have been canceled without prejudice.

Reconsideration of the application in view of the amendments and the following remarks is respectfully requested.

35 U.S.C. 103(a) Rejections

Claims 11 to 17 and 19 to 21 were rejected under 35 U.S.C. 103(a) as being unpatentable as unpatentable over Schwaiger (DE 3625590) in view of Leiber (WO 9905397).

Schwaiger discloses an exhaust valve. (English abstract). In the embodiment shown in Fig. 2, the valve includes a disk, a cone and a shaft. (See Fig. 2).

Leiber discloses a valve that includes an inner pipe 50, a funnel 53, a valve disk 52 and an exterior pipe 58. (See English translation). The funnel 53 is centrally connected with valve disk 52.

Claim 11, in relevant part, recites “the longitudinal portion being frustoconical and a having a cone angle that is the same as a cone angle of the valve cone at the end of greater diameter such that a continuous transition is brought about in a connection region between the longitudinal portion and the end of greater diameter of the valve cone.”

It is respectfully submitted that neither Schwaiger nor Leiber, alone or in combination, discloses “the longitudinal portion being frustoconical and a having a cone angle that is the same as a cone angle of the valve cone at the end of greater diameter such that a continuous transition is brought about in a connection region between the longitudinal portion and the end of greater diameter of the valve cone” as now recited in claim 11. Schwaiger shows a discontinuous jagged transition between the cones and disks in both of Figs. 2 and 6. Also, Leiber shows a portion of

disk 52 protruding upward from the end of funnel 53 and teaches a discontinuous transition between disk 52 and funnel 53. Thus, because neither Schwaiger nor Leiber provides any reason to provide “a continuous transition is brought about in a connection region between the longitudinal portion and the end of greater diameter of the valve cone” as now recited in claim 11, claim 11 would not have been obvious in view of these references.

Withdrawal of the rejection under 35 U.S.C. 103(a) of claim 11 and its dependent claims 12 to 17 and 19 to 21 is respectfully requested.

Claims 22 to 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schwaiger in view of Leiber and Ysberg (U.S. Patent 3,911,875).

Claims 22 and 23 are dependent on claim 11. Ysberg does not show or teach a valve cone and thus does not teach or make obvious, alone or in combination with Schwaiger and Leiber, the “continuous transition” required by claim 11. In view of the arguments presented above explaining why claim 11 is not unpatentable as obvious in view of Schwaiger and Leiber, withdrawal of the rejection under 35 U.S.C. 103(a) of claims 22 and 23 is respectfully requested.

New Claims

New claims 24 to 31 have been added. Support is found in the specification for example at paragraphs [0003], [0006] to [0009], [0021], [0023], [0024], [0027] and [0028] and in Figs. 1 to 4. New claims 24 to 31 depend from claim 11 and thus are patentable for at least the same reasons as claim 11.

Conclusion

It is respectfully submitted that the present application is now in condition for allowance, and Applicants respectfully requests such action.

Respectfully submitted,
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